

Remarks & Arguments

In the Office Action, the Examiner noted that Claims 1-27 are pending in the application, and that Claims 1-27 are rejected. By this amendment, Claims 1, 14, 15 and 24 have been amended, Claims 16-23 and 25-27 have been canceled without prejudice, and Claims 28-33 have been added. Thus, Claims 1-15, 24 and 28-33 are pending in the application. The amendments to the claims do not add new matter to the application. The Examiner's rejections are traversed below.

Rejections Under 35 USC 102 and 103

Claims 1, 2, 4, 6, 9-11, 14, 15 and 24 stand rejected under 35 USC 102(e) as being anticipated by Kanamori et al. (US 6,662,022). With regard to amended independent Claims 1, 14 and 24, the Applicants respectfully assert that neither Kanamori, Kim (US 6,681,120), Roberts (US 5,652,800), Garvis (US 5,647,011), Hadley et al. (US 5,243,640) nor any combination thereof teach or suggest "assigning priority levels as a function of the first audio source the second audio source and a nature of an audio output" or "establishing a priority for each of a plurality of audio signals as a function of a source of each of the plurality of audio signals and a plurality of outputs." Accordingly independent Claims 1, 14 and 24 are patentable over the relied upon references. Furthermore, Claims 2-13, 15 and 28-33 are dependent upon 1, 14 or 24 and incorporate all the limitation of the independent claim upon which they respectively

Appl. No. 09/871,465
Amdt. Dated June 3, 2004
Reply to Office Action of March 23, 2004

depend. Thus, Claims 2-13, 15 and 28-33 are also patentable for the above-advanced reasons.

Withdrawal of this rejection is respectfully requested.

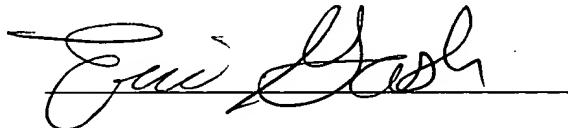
Conclusion

For all the reasons advanced above, Applicants respectfully submit that the present application is in condition for allowance and that action is earnestly solicited. The Examiner is invited to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

The Commissioner is hereby authorized to charge any additional fees, which may be required for this amendment, or credit any overpayment, to Deposit Account 23-0085. In the event that an extension of time is required, or may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account 23-0085.

Respectfully submitted,

WAGNER, MURABITO & HAO, LLP

A handwritten signature in black ink, appearing to read "Eric J. Gash", is written over a horizontal line.

Eric J. Gash
Registration No. 46,274
Tel.: (408) 938-9060

Dated: June 3, 2004